

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

CYWEE GROUP LTD,

v.

HUAWEI TECHNOLOGIES CO., INC.,
HUAWEI DEVICE USA INC, HUAWEI
DEVICE (DONGGUAN) CO LTD,
HUAWEI DEVICE CO. LTD

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Case No. 2:17-cv-00495-RWS-RSP

ORDER

Before the Court is the Report and Recommendation filed by the Magistrate Judge, which recommended that Huawei's Motion to Dismiss for lack of standing be denied. *See* Docket No. 50. Huawei argued that Cywee's complaint should be dismissed in light of Huawei's failure to register to do business in the state of Texas. *See* Docket No. 21 at 1-2. As the Magistrate Judge concluded, however, the Texas door-closing statute does not affect lawsuits arising solely under federal law, such as the patent laws. *See* Docket No. 50 at 1-2. The Magistrate Judge therefore recommended that Huawei's Motion to Dismiss be denied. *See id.* at 4. No objections to the Report and Recommendation have been filed, and the time to do so has now passed. Upon de novo review of the Magistrate Judge's report, the Court finds no reason to reject or modify the recommended disposition. Huawei's Motion to Dismiss should be denied.

Accordingly, it is **ORDERED**:

(1) The Magistrate Judge's Report and Recommendation, Docket No. 50, is **ADOPTED**.

(2) Huawei's Motion to Dismiss, Docket No. 21, is **DENIED**.

SIGNED this 28th day of March, 2018.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE